

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 12, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-13950 - APPLICANT: POWER REALITY - OWNER:  
UNIFIED CREDIT EQUIVALENT TRUST**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. This Extension of Time will expire on August 18, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-4093) as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a Request for an Extension of Time of an approved Rezoning (ZON-4093) from U (Undeveloped) [D-R (Desert Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive.

**EXECUTIVE SUMMARY**

This is the first Extension of Time application for the subject site. The applicant is proposing a two year Extension of Time for Rezoning. The applicant indicates that the Extension of Time is need since there will not be enough time to record the final map prior to the expiration of the subject Rezoning (ZON-4093).

**BACKGROUND INFORMATION**

***A) Related Actions***

08/18/04      The City Council approved a General Plan Amendment (GPA-4091) to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector of the General Plan from DR (Desert Rural Density Residential) to L (Low Density Residential. A Rezoning (ZON-4093) was also approved from U (Undeveloped) [D-R (Desert Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development – 3 Units per Acre). A Variance (VAR-4094) was also approved to allow 34,340 square feet of open space where 63,363 square feet is required for an 88 lot single family residential development. Finally, a Site Development Plan Review (SDR-4095) for a 88 lot single family residential development and for a Waiver of perimeter landscaping requirements on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive. The Planning Commission recommended approval, but staff recommended denial on 07/22/04.

***B) Pre-Application Meeting***

A pre-application meeting is not required for an Extension of Time request.

***C) Neighborhood Meetings***

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

## DETAILS OF APPLICATION REQUEST

### A) *Site Area*

Gross Acres: 20.35

### B) *Existing Land Use*

Subject Property: Undeveloped  
 North: Single Family Dwellings  
 South: Single Family Dwellings  
 East: Single Family Dwellings  
 West: Undeveloped

### C) *Planned Land Use*

Subject Property: DR (Desert Rural)  
 North: R (Rural)  
 South: DR (Desert Rural)  
 East: R (Rural)  
 West: DR (Desert Rural)

### D) *Existing Zoning*

Subject Property U (Undeveloped) [D-R (Desert Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development – 3 Units per Acre)  
 North R-PD3 (Residential Planned Development- 3 Units Per Acre)  
 South R-PD2 (Residential Planned Development – 2 Units Per Acre)  
 East R-PD3 (Residential Planned Development – 3 Units Per Acre)  
 West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre)

### E) *General Plan Compliance*

A General Plan Amendment (GPA-4091) designated the site as L (Low Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan. The proposed R-PD5 (Residential Planned Development – 5 Units Per Acre) designation is in conformance with the General Plan designation of L (L Density Density Residential).

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Neighborhood</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

There are no Special Districts or Zones that affect the subject site.

## **ANALYSIS**

### ***A) General Analysis and Discussion***

This is the first Extension of Time for the subject Rezoning (ZON-4093). The Rezoning from U (Undeveloped) [D-R (Desert Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development – 3 Units per Acre) was approved by the City Council on 08/18/04. There was an associated General Plan Amendment (GPA-4091), Variance (VAR-4094) and Site Development Plan Review (4095). The applicant is proposing to develop 62 lots on 18.5 acres. The applicant indicates that there will not be enough time to record the Final Map prior to the expiration of the Rezoning. Therefore, the subject Extension of Time is needed. The Extension of Time can be supported to allow time for recordation of the Final Map.

### ***B) Previous Conditions of Approval from Rezoning (ZON-4093)***

#### **Planning and Development**

1. Development is limited to a maximum of 62 building lots.
2. The request shall be amended to R-PD3 (Residential Planned Development – 3 Units per Acre)
3. A Resolution of Intent with a two-year time limit.
4. Horses are not allowed within the subdivision.

#### **Public Works**

5. Dedicate 40 feet of right-of-way adjacent to this site for Jones Boulevard, 40 feet for Horse Drive and a 54-foot radius on the northeast corner of Jones Boulevard and Horse Drive. Additional dedications in accordance with Standard Drawing #234.1 along Jones Boulevard shall also be provided unless otherwise allowed by the City Traffic Engineer.
6. Construct half-street improvements, including appropriate overpaving if legally able, on Jones Boulevard and Horse Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

## **FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. “The proposal conforms to the General Plan.”**

The proposed R-PD3 (Residential Planned Development – 3 Units per Acre) complies with the L (Low Density Residential) General Plan land use designation.

**2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The surrounding residential development are zoned either R-PD2 (Residential Planned Development – 2 Units per Acre) or R-PD3 (Residential Planned Development – 3 Units per Acre). Therefore, the proposed R-PD3 (Residential Planned Development – 3 Units per Acre) has been deemed to be compatible with the surrounding area with the approval of the General Plan Amendment. The General Plan Amendment allowed the change in land use from DR (Desert Rural Density Residential) to L (Low Density Residential).

**3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

The continuation of single-family development in the area indicates a need that is consistent with development patterns. Therefore, the subject extension of time is appropriate.

**4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The subject site is located in an area of the city where all utilities and services are currently in place and available to this site.

The traffic capacity of Jones and Horse is consistent with the development as planned (very low density residential) for the immediate area. The potential traffic generated proposed density on the subject site may exceed that capacity.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0